

his officials, amended the bill to allow for the publication in the *Canada Gazette* of a notice of intention to issue a proclamation, so that those interested one way or the other could express their views before a proclamation would be issued. By doing that we allowed for all interests in the establishment of a national park to be taken into consideration. The publication of such a notice in the *Canada Gazette*, I think the minister will agree, was a good procedure.

Hon. Mr. Chrétien: Yes, I think it was an excellent way of letting the people know what was going on. I have no objection to informing people of the establishment of a national park.

Senator Flynn: The minister agrees that the clause referring the problem to a standing committee of the other place serves no purpose. I think it is a matter of policy for the federal government to obtain title to the land from the province concerned, but that is not necessarily the case in all circumstances. Under clause 2 of the bill it is also provided that:

(3) The Governor in Council may authorize the Minister to purchase, expropriate or otherwise acquire any lands or interests therein for the purposes of a park.

In some cases, therefore, your department, Mr. Minister, with the authorization of the Governor in Council, may expropriate land for the establishment or enlargement of a park.

Hon. Mr. Chrétien: Yes, we do that when we want to acquire a small amount of property to add to an existing park. However, when we want to add a significant addition to a park, we consult with the provincial government concerned. We have always followed that course.

Senator Flynn: But it is a matter of policy to have the province concerned provide title to the land?

Hon. Mr. Chrétien: Yes. The amendment which your committee put forward, to provide for publication in the *Canada Gazette* of a notice of intention to issue a proclamation, was not in the old act. If one of my successors decides to acquire a large area of land without the approval of the provincial government concerned, he will not be able to do so until publication of a notice to issue a proclamation to that effect is published in the *Canada Gazette*. So the provincial government concerned will be alerted at that time and can take appropriate steps.

Senator Flynn: That brings me to my last point, Mr. Chairman, which is in connection with clause 10 of the bill. Clause 10. (1) reads as follows:

Subject to subsection (2), the Governor in Council may, by proclamation, set aside as a National Park of Canada, under a name designated therein, any lands

And the lands are set out in clause 10.(1)(a) through to (e). When a proclamation is issued under that clause, if this bill carries, the procedure outlined in clause 2 will not apply.

The Chairman: That is right.

Hon. Mr. Chrétien: Those parks are already in operation. They are not in the act.

Senator Flynn: They are not in the act?

Hon. Mr. Chrétien: They were not in the old act. I can give you an example of one national park that has been in operation for 20 years, that being Terra Nova National Park in Newfoundland.

Senator Flynn: But a description of the boundaries is not to be found in the schedule.

Hon. Mr. Chrétien: Yes, it is.

Senator Flynn: No, certainly not.

Hon. Mr. Chrétien: Read clause 8, senator. It deals with the new description of Terra Nova National Park.

Senator Flynn: Terra Nova, yes, but I am speaking of the parks mentioned in clause 10 of the bill. For example, in the counties of Champlain and St. Maurice, the boundaries of those parks have not yet been finally determined—not by any act of Parliament, in any event.

Hon. Mr. Chrétien: We know where.

Senator Flynn: We know where.

The Chairman: Clause 10 is not a general empowering clause. Subclause (2) says:

The Governor in Council may issue a proclamation under subsection (1) . . .

Subsection (1) is the one which indicates the lands, and it is in relation to those specific land he may do that.

Senator Flynn: I agree. If you will give a chance to complete my argument, Mr. Chairman, what I want to say is this. Under the present wording of clause 2, for the enlargement of any park, there has to be published a notice in the *Canada Gazette*. Under clause 10, for the establishment of these new parks, which have not already been established by law—they may have been established in fact but not by law—there is no requirement to publish a notice in the *Canada Gazette*.

The Chairman: It does provide that.

Senator Goldenberg: Subclause (2)(c).

Hon. Mr. Chrétien: Line 40:

(c) notice of intention to issue a proclamation under subsection (1), together with a description of the lands proposed to be described in the proclamation, . . .

Senator Flynn: I agree with that. The point I wanted to make was that only this notice has to be given, and there is no reference to the standing committee.

Hon. Mr. Chrétien: No, not for those parks.

Senator Flynn: Where is the justification for this?

Hon. Mr. Chrétien: I argued with the members of the committee of the other place, and I could convince them at least that there was no purpose at this time, when the land has been turned over to the federal government and there are employees working there and roads being constructed, in coming after the work has started to question the judgment of a provincial government.

Senator Flynn: The same argument should have been accepted under clause 2.

Hon. Mr. Chrétien: Yes. They accepted it on clause 10 and did not accept it on clause 2. I made exactly the same